

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA
v.
CLEMENTS, KENNETH W
36905 MEADOW BROOK WAY

BEAUMONT, CA 92223

AMENDED
Judgment in a Criminal Case
(For a Petty Offense)
CM/ECF Case No. 5:24-PO-00026-DTB
Case No. CC14 9165749

USM No.
Holt Ortiz Alden, DFPD
Defendant's Attorney

THE DEFENDANT: CLEMENTS, KENNETH W

☒ THE DEFENDANT pleaded ☒ guilty ☐ nolo contendere to count(s) One
☐ THE DEFENDANT was found guilty on count(s) _____
The defendant is adjudicated guilty of these offenses:

§ Title & Section	Nature of Offense	Offense Ended	Count
38 C.F.R. 1.218(a)(5)	Disorderly conduct obstructing the normal use of the parking facilities	12/19/2023	One

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The defendant is sentenced as provided in pages 2 through _____ of this judgment.

☐ THE DEFENDANT was found not guilty on count(s) _____
☐ Count(s) _____ ☐ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

Last Four Digits of Defendant's Soc. Sec. No.: 1426

Defendant's Year of Birth: 1958

City and State of Defendant's Residence:
BEAUMONT, CA



April 4, 2024
Date of Imposition of Judgment

Signature of Judge
David T. Bristow, United States Magistrate Judge
Name and Title of Judge
April 11, 2024
Date

DEFENDANT: CLEMENTS, KENNETH W
CASE NUMBER: CC14 9165749 CM/ECF Case No. 5:24-PO-00026-DTB
CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 4.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>	<u>Processing Fee</u>
TOTALS	\$ 10.00	\$ 150.00	\$ 0.00	\$ 30.00

☐ The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid in full prior to the United States receiving payment.

<u>Name of Payee</u>	<u>Total Loss**</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
TOTALS	\$ 0.00	\$ 0.00	

☐ Restitution amount ordered pursuant to plea agreement \$ _____

☐ The defendant must pay interest on restitution or a fine of more than \$2,500, unless the fine or restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 4 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☒ The court determined that the defendant does not have the ability to pay interest, and it is ordered that:

☒ the interest requirement is waived for ☒ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: CLEMENTS, KENNETH W
CASE NUMBER: CC14 9165749 CM/ECF Case No. 5:24-PO-00026-DTB

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

- A** ☐ Lump sum payment of \$ _____ due immediately, balance due
- ☐ not later than _____, or
- ☐ in accordance with ☐ C, ☐ D, ☐ E, or ☐ F below); or
- B** ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C** ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D** ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E** ☐ Payment during the term of probation will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F** ☒ Special instructions regarding the payment of criminal monetary penalties:

Criminal monetary penalties in the amount of \$190.00. \$10 Special Assessment due immediately.
\$180.00 due by payments of 10% but not less than \$25 per month beginning 30 days after Judgment.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant and Co-Defendant Names, Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s): 0.00
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) JVT A assessment, (8) penalties, and (9) costs, including cost of prosecution and court costs.

DEFENDANT: CLEMENTS, KENNETH W

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PROBATION

You are hereby sentenced to probation for a term of:

Defendant shall be placed on formal probation for a period of six (6) months.

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as determined by the court.
 - ☒ The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. ☐ You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
5. ☐ You must comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
6. ☐ You must participate in an approved program for domestic violence. *(check if applicable)*
7. ☐ You must make restitution in accordance with 18 U.S.C. §§ 2248, 2259, 2264, 2327, 3663, 3663A, and 3664. *(check if applicable)*
8. You must pay the assessment imposed in accordance with 18 U.S.C. § 3013.
9. If this judgment imposes a fine, you must pay in accordance with the Schedule of Payments sheet of this judgment.
10. You must notify the court of any material change in your economic circumstances that might affect your ability to pay restitution, fines, or special assessments.

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

DEFENDANT:
CASE NUMBER:

SPECIAL CONDITIONS OF SUPERVISION

Defendant shall be placed on formal probation for a period of six (6) months.

- 1) Defendant shall comply with the rules and regulations of the United States Probation Office and Second Amended General Order 20-04.
- 2) Defendant to participate in anger management counseling and treatment at the direction and discretion of the probation officer, not to exceed twelve (12) hours per month.
- 3) Defendant ordered to Home detention for a period of five (5) days to be completed within the first three (3) months of probation: Home detention requires defendant to remain at home at all times except for employment, education, religious services, medical needs or treatment, attorney visits, court appearance and obligations, essential needs all of which must be preapproved by the Supervising Agency.
- 4) Defendant shall pay a total monetary sanction of \$190 (\$ 150 fine, \$10 mandatory special assessment, \$30 processing fee), due by payments of 10% but not less than \$25 per month beginning 30 days after Judgment.
- 5) Defendant shall report telephonically to the U. S. Probation Office located at 312 N. Spring Street, Suite 600, in Los Angeles, California 90012, telephone number 213-894-3600, no later than 12 noon on April 9, 2024.